

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

In Case No. 2023-0044, M.A. v. K.C., the court on May 17, 2023, issued the following order:

The court has reviewed the written arguments and the record submitted on appeal, and has determined to resolve the case by way of this order. See Sup. Ct. R. 20(2). The defendant appeals an order of the Circuit Court (Ryan, J.), following a hearing, granting a civil stalking final order of protection in favor of the plaintiff. See RSA 633:3-a (Supp. 2022). We affirm.

On appeal, the defendant challenges the trial court's factual findings and credibility determinations. We uphold the findings and rulings of the trial court unless they are lacking in evidentiary support or are erroneous as a matter of law, and accord considerable weight to the trial court's judgments on the credibility of witnesses and the weight to be given testimony. Fisher v. Minichiello, 155 N.H. 188, 190 (2007). Here, the defendant has failed to provide this court with a transcript of the hearing. See Bean v. Red Oak Prop. Mgmt., 151 N.H. 248, 250 (2004) (holding that "[i]t is the burden of the appealing party . . . to provide this court with a record sufficient to decide [the] issues on appeal"). Accordingly, absent a transcript of the hearing, and in light of our deferential standard of review, "we must assume that the evidence was sufficient to support the result reached by the trial court." Id.

Affirmed.

MacDonald, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

Timothy A. Gudas,
Clerk